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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- x Chapter 11

In re:

JEFFREY LEW LIDDLE,

Case No. 19-10747 (shl)

Debtor.

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**NOTICE OF AGENDA FOR MATTERS SCHEDULED FOR
THE HEARING ON JULY 22, 2019 AT 2:00 P.M.**

Time and Date of Hearing: July 22, 2019 at 2:00 p.m. (EDT)

Location of Hearing: United States Bankruptcy Court for the Southern District of New York, before the Honorable Sean H. Lane, United States Bankruptcy Judge, **Room 701**, One Bowling Green, New York, NY 10004-1408

PLEASE TAKE NOTICE that an agenda with respect to all matters set for hearing on **July 22, 2019 at 2:00 p.m. (EDT)** is set forth below. Copies of each pleading identified below can be viewed and/or obtained by: (i) accessing the Court's website at www.nysb.uscourts.gov, or (ii) contacting the Office of the Clerk of Court at One Bowling Green, New York, New York 10004. Note that a PACER password is required to access documents on the Court's website.

AGENDA

I. CASE CONFERENCE

A. Case Status Update

B. Cash Collateral Motion Conference

1. Related Documents:

- (i) Debtors' Motion For Entry Of Interim And Final Orders (I) Authorizing The Debtors To Use Cash Collateral, (II) Scheduling A Final Hearing And (III) Granting Related Relief **[ECF No. 37]**
- (ii) Debtor's Ex-Parte Motion for an Order Shortening Notice Period for Hearing on Debtor's Motion Under 11 U.S.C. §§ 105, 542 and 543 Directing Escrow Agent or Custodian to Turnover Property **[ECF No. 13]**
- (iii) Motion Under 11 U.S.C. §§ 105, 542 and 543 for Turnover of Property by Escrow Agent or Custodian **[ECF No. 14]**
- (iv) Order Granting Debtor's Ex-Parte Motion for an Order Shortening Notice Period for Hearing on Debtor's Motion Under 11 U.S.C. § 543 Directing Escrow Agent or Custodian to Turnover Property ("Turnover Motion") **[ECF No. 16]**
- (v) White & Wolnerman Statement in Support of Turnover Motion **[ECF Nos. 18 & 19]**
- (vi) Response by Counsel Financial II LLC to Debtor's Motion (i) Under 11 U.S.C. §§ 105, 542 and 543 for Turnover of Property by Escrow Agent or Custodian; and (ii) Under 11 U.S.C. § 363 for Use of Cash Collateral **[ECF Nos. 23 & 24]**
- (vii) Order Signed On 4/1/2019, Granting Debtor's Motion For An Order Directing Custodian To Turnover Property And For An Interim Order Authorizing The Debtor To Pay Rent Expenses And Granting Related Relief **[ECF No. 27]**
- (viii) Letter Motion to Allow Payment of Employee Wages filed by William F. Gray on behalf of Jeffrey Lew Liddle **[ECF No. 28]**
- (ix) Order Signed On 4/2/2019, Granting Motion To Allow Payment Of Employee Wages **[ECF No. 29]**
- (x) Debtor's Ex-Parte Motion For An Order Shortening Notice Period For Hearing On Debtor's Motion For Entry Of Interim And Final

Orders (I) Authorizing The Debtors To Use Cash Collateral, (II) Scheduling A Final Hearing And (III) Granting Related Relief **[ECF No. 38]**

- (xi) Letter to Hon. Sean Lane dated 4/9/19 from David H. Wander on behalf of Counsel Financial II, LLC **[ECF No. 40]**
- (xii) Order Granting Debtor's Ex-Parte Motion For An Order Shortening Notice Period For Hearing On Debtor's Motion Debtors' Motion For Entry Of Interim And Final Orders (I) Authorizing The Debtors To Use Cash Collateral, (II) Scheduling A Final Hearing And (III) Granting Related Relief **[ECF No. 42]**
- (xiii) Objection by Counsel Financial II LLC to Debtor's Second Cash Collateral Motion **[ECF No. 47]**
- (xiv) Interim Order Pursuant to 11 U.S.C. §§ 105, 361, 362 and 363 (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection to the Secured Parties, (III) Scheduling a Final Hearing and (IV) Granting Related Relief **[ECF No. 52]**
- (xv) Memorandum of Law by Counsel Financial II LLC in Support of its Perfected Security Interest in and Lien on Cash Collateral **[ECF No. 74]**
- (xvi) Debtor's Response and Memorandum of Law in Opposition to Counsel Financial II LLC's Claim of a Perfected Security Interest in and Lien on Certain Cash Collateral **[ECF No. 84]**
- (xvii) Letter regarding June 24, 2019 Hearing on Debtor's Cash Collateral Motion **[ECF No. 104]**
- (xviii) Letter dated July 1, 2019 **[ECF No. 114]**
- (xix) Letter dated July 2, 2019 **[ECF No. 115]**
- (xx) Proposed Order Denying Counsel Financial II LLC's Claim of a Perfected Security Interested In and Lien on Certain Cash Collateral and Granting Related Relief sent to Judge's Chambers and counsel on July 2, 2019.

C. Update on Tara Liddle Adversary Proceeding No. 19-01147

D. Request for Omnibus Hearing Dates for August and September 2019

II. **CONTESTED MATTERS**

A. Motion Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LLP and for Related Relief **[ECF No. 35]**

1. **Related Documents:**

- (i) Debtor's Ex-Parte Motion for an Order Shortening Notice Period for Hearing on Debtor's Motion Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LLP and for Related Relief **[ECF No. 39]**
- (ii) Letter to Hon. Sean Lane dated 4/9/19 from David H. Wander on behalf of Counsel Financial II, LLC **[ECF No. 40]**
- (iii) Order Granting Debtor's Ex-Parte Motion for an Order Shortening Notice Period for Hearing on Debtor's Motion Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LLP and for Related Relief **[ECF No. 41]**
- (iv) Objection of Kazowitz Benson Torres LLP to Motion Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LLP and for Related Relief **[ECF No. 46]**
- (v) Interim Order Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LP and for Related Relief **[ECF No. 50]**
- (vi) Proposed Second Interim Order Pursuant to Motion Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LLP and for Related Relief **[ECF No. 68]**
- (vii) Second Interim Order Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LP and for Related Relief **[ECF No. 71]**
- (viii) Proposed Third Interim Order Pursuant to Motion Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LLP and for Related Relief **[ECF No. 92]**
- (ix) Third Interim Order Pursuant to 11 U.S.C. § 105 to Extend the Automatic Stay Under 11 U.S.C. § 362 to Liddle & Robinson LP and for Related Relief **[ECF No. 101]**

2. **Status: Going forward.**

B. Motion to Extend Exclusivity Period for Filing a Chapter 11 Plan and Disclosure Statement **[ECF No. 116]**

1. Related Documents:

- (i) Response by Counsel Financial to Motion to Extend the Debtor's Exclusive Period to File a Chapter 11 Plan **[ECF No. 130]**
- (ii) Reply by Debtor in Further Support of His Motion for Entry of an Order Extending the Debtor's Exclusive Period to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code **[ECF No. 132]**

2. Status: Going forward.

III. **UNCONTESTED MATTERS**

A. Notice of Presentment of Debtor for an Order under 11 U.S.C. § 105 and 2002(M), 9007 and 9014 of the Federal Rules of Bankruptcy Procedure Establishing Certain Notice, Case Management and Administrative Procedures and Opportunity for a Hearing **[ECF No. 109]**

1. Related Documents:

- (i) Motion to Authorize Presentment with 14 Days' Notice for an Order under 11 U.S.C. § 105 and 2002(M), 9007 and 9014 of the Federal Rules of Bankruptcy Procedure Establishing Certain Notice, Case Management and Administrative Procedures **[ECF No. 110]**
- (ii) Limited Objection by Counsel Financial II LLC, LIG Capital LLC and Counsel Financial Holdings LLC to Debtor's Motion and Proposed Order Establishing Certain Notice, Case Management and Administrative Procedures **[ECF No. 120]**
- (iii) Revised Proposed Order Establishing Certain Notice, Case Management and Administrative Procedures **[ECF No. 122-1]**

2. Status: Going forward.

IV. **ADJOURNED ITEMS**

A. VW Credit, Inc's Motion for Relief from Automatic Stay Pursuant to 11 U.S.C. Section 362(d)(1) & (2) **[ECF No. 77]**

1. Status: Motion has been adjourned by consent of all parties until September 2019.

B. Motion by M&T Bank for Relief from Stay re: 560 Main Street, Southampton Town, NY 11978 **[ECF No. 107]**

1. Related Documents:

(i) Memorandum of Law in Support of Motion for Relief from Stay re: 560 Main Street, Southampton Town, NY 11978 **[ECF No. 108]**

2. Status: Motion has been adjourned by consent of all parties until September 2019.

Dated: July 18, 2019
New York, New York

FOLEY HOAG LLP

/s/ Alison D. Bauer

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